

JAP7 Rec'd PCT/PTO 21 AUG 2006

In re Application of: ) Application Division  
 Anders NYKJAER ) ATTN: PCT  
 Serial No. 10/550,488 ) Washington, D.C.  
 IA Filing Date: March 25, 2004 ) Confirmation No. 5401  
 For: USE OF COMPOUNDS FOR THE PREVENTION OF... ) Date: August 21, 2006

LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC 371

U.S. Patent and Trademark Office  
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 Randolph Building, Mail Stop Missing Parts  
 401 Dulany Street  
 Alexandria, VA 22314

Sir:

The present communication is in response to the "NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371..." dated June 21, 2006. Attached hereto is/are:

- [XX] Search Fee [XX] \$200.00 (Small Entity) [ ] \$400.00 (Large Entity)  
 [XX] Examination Fee [XX] \$100.00 (Small Entity) [ ] \$200 (Large Entity)  
 [XX] An executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title, PCT information, serial number and filing date.  
 [ ] An exact English language translation of the PCT application as originally filed.  
 [ ] Exact English language translation of the Annexes to the International Preliminary Examination Report containing substitute pages \_\_\_ of the specification and new claims \_\_\_ to be used for examination.  
 [XX] A Preliminary Amendment  
 [ ] Copy of the "Sequence Listing" in computer readable form (CRF) and statement that contents of the CRF are the same as the paper copy.  
 [XX] An Information Disclosure Statement with 08A- 1449 and 29 references.  
 [ ] Additional fees as calculated below:

Surcharge of \$130.00 for furnishing the oath or declaration later than [ ] 20 [X] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).			\$130.00
Number of each additional 50 pages or fraction thereof (round up to a whole number)		RATE	
		X \$250.00	
Number of Claims Previously Paid For	Number of Extra Claims	Rate	
26- 20 =	6	X \$ 50.00	\$300.00
1- 3 =		X \$200.00	\$
Multiple Dependent Claims (if applicable)		+ \$360.00	\$
TOTAL OF ABOVE CALCULATIONS			\$430.00
Reduction of 1/2 for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27.			\$215.00
SUBTOTAL			\$215.00
Processing fee of \$130.00 for late furnishing of the English translation.			\$
TOTAL NATIONAL FEE			\$215.00

- [ ] Surcharge for late filing of the Declaration was paid on \_\_\_\_\_.  
 [ ] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

## Small Entity

## Response Filed Within

[ ] First - \$ 60.00  
 [ ] Second - \$ 225.00  
 [ ] Third - \$ 510.00  
 [ ] Fourth - \$ 795.00  
 [ ] Fifth - \$1,080.00

month after time period set

## Other Than Small Entity

## Response Filed Within

[ ] First - \$ 120.00  
 [ ] Second - \$ 450.00  
 [ ] Third - \$1,020.00  
 [ ] Fourth - \$1,590.00  
 [ ] Fifth - \$2,160.00

month after time period set

[XX] Total fees enclosed: \$515.00

[XX] Credit Card Payment Form, PTO-2038, authorizing payment the amount of \$515.00 is enclosed to cover the above fees.

[XX] Conditional Petition for Extension of Time:

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

BROWDY AND NEIMARK, P.L.L.C.  
 Attorneys for Applicant(s)

By:

Iver P. Cooper